

Attorney's Docket. No.: 6126US

DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are list below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SOFT DRIED MARSHMALLOW AND METHOD OF PREPARATION

the specification of which

() is attached hereto.

() was filed on _____ as

Application Serial No. _____

and was amended on _____.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below: Application No. _____ Filing Date: _____

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number) (Country) (Day/Month/Year Filed)

()Yes ()No

(Number) (Country) (Day/Month/Year Filed)

()Yes ()No

(Number) (Country) (Day/Month/Year Filed)

()Yes ()No

I hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date) (Status: patented, pending, or abandoned)

(Application Serial No.) (Filing Date) (Status: patented, pending, or abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

O'Toole, John A. (Reg. No. 28,336)
Maier, Michael C. (Reg. No. 36,206)
Kamrath, Alan D. (Reg. No. 28,227)
Czaja, Timothy A. (Reg. No. 39,649)
McCrackin, Ann M. (Reg. No. 42,858)
Haurykiewicz, John M. (Reg. No. 29,311)
Binder, Mark (Reg. No. 32,642)
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Jordahl, Kimberly S. (Reg. No. 40,998)
Schulte, Daniel C. (Reg. No. 40,160)
Weaver, Paul L. (Reg. No. 48,640)

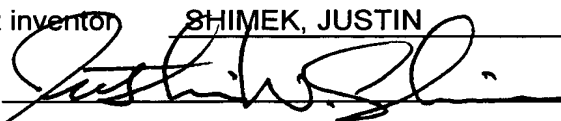
Send correspondence to:

Attorney Name, Esq. P.O. Box 1113, Minneapolis, Minnesota 55440, Phone: 763-764-XXXX

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor SHIMEK, JUSTIN

Inventor's Signature



7/21/03
Date

Residence: 4595 Balsam Lane North, Plymouth, MN 55442

Citizenship: United States

Post Office Address: Same as residence

Full name of second joint inventor, if any PETERSON, ANDREW

Second Inventor's Signature



7/21/03
Date

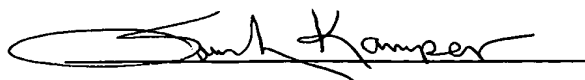
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Full name of third joint inventor, if any KAMPER, SUSAN L.

Third Inventor's Signature



7/21/03
Date

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Citizenship: United States

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Full name of fourth joint inventor, if any GEOFFRION, JAMES W.

Fourth Inventor's Signature James W. Geoffrion

7/17/03
Date

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